

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ROBERT VAUGHN BRUCE,

Plaintiff,

v.

3:06-cv-33

CORRECTIONAL MEDICAL SERVICES, INC.,

Defendant.

MEMORANDUM AND ORDER

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983.¹ Plaintiff's motion for entry of default was previously granted and default was entered against defendant Correctional Medical Services, Inc. Defendant's counsel has now filed a motion to set aside the entry of default [Court File No. 11], which under the circumstances is **GRANTED**. The Clerk is **ORDERED** to **SET ASIDE** the judgment by default previously entered in this cause. Fed. R. Civ. P. 55(c).

E N T E R:

s/ Leon Jordan
United States District Judge

¹Although plaintiff titled his original pleading an "Amended Petition for Writ of Habeas Corpus," he is seeking damages based upon an alleged denial of medical treatment and thus his complaint is actually an action for the violation of his civil rights.